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SOURCE Hsin-wen Jih-pao.

PORT AND HARBOR REGULATIONS
OF MINISTRY OF COMMUNICATIONS, CHINA

Comment: The following report gives the full text of the new
 regulations concerning payment of fees for harbor services, such as
 anchorage, pilotage, and handling of goods, in the coastal ports of
 China.

The following announcement, dated 26 February 1953, was made by the Shang-
 hai Harbor Affairs Bureau, Ministry of Communications, Central People's Gov-
 ernment.

Shanghai Harbor Affairs Bureau Order No 1236

1. The unified harbor dues, as well as the new rates for pilotage, an-
 chorage, storage, use of port facilities, etc., for the entire country, were
 adopted and approved on 21 February 1953.
2. The Maritime Control Bureau of the Ministry of Communications directs
 that the Provisional Regulations for Unified Harbor Dues drafted by the Minis-
 try of Communications, Central People's Government and approved and endorsed
 by Directive No 53 of the Committee of Finance and Economics, Government Admin-
 istration Council, Central People's Government, are to become effective 21 Feb-
 ruary 1953.
3. In the general regulations, Section IV dealing with loading and un-
 loading fees has been omitted since the new rates have not yet been approved.
 Pending approval of the new rates, loading and unloading fees will be governed
 in accordance with the transportation rates set forth by the Provisional Con-
 trol Board of Shanghai Wharf and Warehouses, Committee of Finance and Economics,
 Shanghai Municipal People's Government. The full text of the new general regu-
 lations is given below.

Yu Mei, bureau chief
 Han Ko-hsin and Yuan Tzu-ch'ing, deputy bureau chiefs

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I. GENERAL

Article 1

The unified harbor dues, except for certain fees, as drafted by the Ministry of Communications of the Central People's Government shall be divided into the following categories:

1. Pilotage dues -- charged on vessels
2. Use of port facilities -- charged on vessels
3. Loading and unloading fees -- charged on goods
4. Anchorage fees -- charged on vessels
5. Storage fees -- charged on goods
6. Special service fees -- charged to those applying

Article 2

The fees charged will be collected equitably with yuan used as standard currency. If an item of expense is a fraction of 100 yuan, it is to be calculated as 100 yuan. Each receipt whose total does not reach 2,000 yuan shall be calculated as 2,000 yuan.

Article 3

Fees shall be calculated by unified standards as follows:

1. The measurement standard for vessels is the gross ton; fractions of a ton shall be calculated as one ton.
2. The measurement standard for length of vessels is the meter; fractions of a meter shall be calculated as one meter.
3. The measurement standard for draft of vessels is the meter; measurements of one meter and below shall be calculated by centimeters.
4. The measurement standard for all goods is the metric ton; for goods measured by displacement, 1.133 cubic meters shall be computed as one ton; fractions of a ton shall be calculated by tenths of a ton and fractions smaller than one tenth of a ton shall be calculated as one tenth of a ton. When the actual weight of goods is larger than the displacement tonnage, the gross tonnage shall be used to calculate the charges; when displacement tonnage is greater than actual weight, the displacement tonnage shall be used to calculate the charges.
5. The day or the hour is the measurement standard for all fees which shall be calculated by time; fractions of 24 hours shall be calculated as one day; with the hour as standard, fractions of one half hour shall be calculated as one-half hour. Between one-half hour and an hour shall be calculated as one hour. Time shall be reckoned by the standard time of the service bureau.

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6. All fees with another period of time as standard shall calculate fractions of that period as one period.

7. The period from sunrise to sunset shall be reckoned as daylight. The period from sunset to sunrise shall be reckoned as night. These times shall be announced by the Harbor Affairs Bureau for the month.

Article 4

Payment of fees shall be in cash. For those who have not settled the final bill, payment in full must be made within 5 days after notification is received from the Harbor Affairs Bureau. If the final day is a statutory holiday, an extra day shall be allowed. From the sixth day until the day the payment is received, the penalty charges shall be 5,000th of the total fees per day.

Article 5

When the total fee exceeds the worth of the goods handled, each harbor shall establish another system to collect the fees.

Article 6

All harbors shall establish subsidiary rules covering dues not specified in these regulations, such rules to be published in the local newspaper after the approval of the ministry.

II. PILOTAGE DUES

Article 7

The vessel must be piloted according to the harbor rules. Pilotage fees shall be charged according to conditions in the harbor and shall be divided into two classes as follows:

1. Bay ports: where the general pilotage distance is less than 10 nautical miles, and where there are no straits, as in Dairen and Tsingtao, fees shall be charged by the gross tonnage of the vessel.

2. River ports: where the general pilotage distance is 10 nautical miles or more, or 10 nautical miles or less with straits as in Tientsin, Shanghai, Canton, etc., fees shall be calculated on the gross tonnage of the vessel and its draft. The standard for draft is the vessel's maximum draft.

Article 8

Fees for piloting tugboats and lighters shall be calculated according to their weight and their maximum draft.

Article 9

For incoming or outgoing vessels in bay ports, parts of the full pilot run shall be calculated as the full run; in river ports, parts of the full pilot run shall be calculated as the full run.

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Article 10

Vessels which move anchorage within the harbor but less than half the full pilot run shall be charged for half the full fee. In river ports, when vessels move half the run or less they shall be charged half the fee for the full run. When the distance is the full pilot run or more, or when the work is proportionally difficult, the fees shall be calculated according to Article 9.

Article 11

Vessels at anchor which move less than their own full length and do not require a pilot shall not be charged, but application for permission to move must be made prior to the move.

Article 12

When the pilot substitutes for the ship's master, commands the vessel in waters near the shore, casts anchor, etc., no extra fee shall be charged; even if the work necessitates the dispatch of a second pilot, there shall be no extra fee.

Article 13

When the pilot is met by a small boat and taken on and off the vessel, there shall be no charge. But if the vessel anchors outside the port area, necessitating the dispatch of a special launch to take the pilot from the pilot station to the place of anchorage, an extra fee shall be charged for the use of the launch.

Article 14

Under any one of the following conditions, pilotage fees shall be increased, the total increase not to exceed 50 percent.

1. When pilotage is by a steam tug or a lighter and the vessel's engine is completely inoperative.
2. When there is heavy ice in the harbor.

Article 15

Vessels which require the service of steam tugs for pilotage, or when near the shore, shall be charged an extra fee for the use of the steam tugs.

Article 16

Except under circumstances beyond control, when time periods exceed the set pilotage time, the number of hours in excess shall be charged for at the rate of one tenth the entire pilotage fee for a vessel of 1,000 gross tons (a vessel of 1,000 gross tons has a draft of 3.048 meters which is equal to 10 English feet).

Article 17

Except under circumstances beyond control, when a pilot has been requested and approved but is not employed in bay ports each occasion shall be charged as for the whole trip for a vessel of 1,000 gross tons. In river ports, the charge shall be one half.

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Article 18

Provisions for the pilot must be supplied by the ship when the pilot is detained overtime.

Article 19

Ships shall be responsible for stopping at the closest point near the point of departure to put the pilot ashore when he is unavoidably prevented from debarking at the usual point. Moreover the ship is responsible for the pilot's wages, including anticipated expenses and lodgings from the day he left port until the day he returns to his station.

III. HARBOR SERVICE FEES

Article 20

In addition to other set fees, vessels entering or leaving port to bring in or take out goods will be charged a harbor service fee for each entrance or departure; the fee shall be based on gross tonnage and cargo.

Article 21

All vessels which fall under one of the conditions listed below shall be exempt from harbor service fees.

1. Vessels destined for another port which put into port because of danger at sea or because of unavoidable trouble but do not engage in trade.
2. Vessels for military use, public service vessels, training vessels, sanitation vessels, and exploration vessels.
3. Vessels which put into port especially for taking on fuel, fresh water, and ballast for their own use; for quarantine; and for entering the dock for repairs.
4. Vessels of 5 tons and under, and fishing boats.
5. Vessels which put into port on the orders of harbor authorities and which leave port after 48 hours.

Article 22

Cargoes which fall under one of the following conditions shall be exempt from harbor service fees.

1. Nonimport or export cargoes loaded for transport within the port area.
2. Cargoes unloaded from a ship and immediately reloaded into the same ship.
3. Cargoes loaded for export then later unloaded and returned to shore.
4. Baggage, special mail (excluding government mail parcels), and miscellaneous goods brought in by passengers themselves.
5. Fuels, materials, and tools loaded for the vessel's needs.
6. Cargoes temporarily unloaded because of trouble but destined for another port.

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7. Articles for military use (ammunition, provisions, bedding and clothes, fuel and equipment) shipped by forces and rear service organs.
8. Material for port construction or material needed for work.
9. Cultural and art objects collected for cultural organizations; items for exhibit in international exhibitions.
10. All customs free articles for diplomatic installations and personnel.

Article 23

Harbor service fees are charged on cargoes according to the ten sea transport classification lists. For goods brought but not yet listed in the classification list, harbor service fees shall be based on articles of comparable value. If there is no comparable rule, the fees to be charged shall be based on the fees for first-class goods.

Article 24

Under the following conditions harbor service fees shall be reduced by one half:

1. Vessels of 5 tons but less than 100 tons.
2. Empty vessels or vessels with small loads whose income is less than the harbor service fee.
3. Vessels carrying maps, books, and equipment to be used by schools which have been approved by the main education administration organization.
4. Fishing boats bringing in fresh catches.

Article 25

Harbor service fees for vessels which trade within the port and do not sail outside the harbor shall be set by each harbor.

Article 26

Any person who attempts to escape the payment of harbor service fees will not only be charged double fees but must bear the cost of expenses incurred in his apprehension.

IV. LOADING AND UNLOADING FEES (OMITTED)

V. ANCHORAGE FEES

Article 41

Anchorage fees for wharf anchorage of all vessels inside the harbor, regardless of any loading or unloading concerned, shall be calculated per day according to the distance in meters; for vessels anchored to buoys, or in the anchorage area, fees shall be calculated per day for the vessel.

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Article 42

Fees for anchorage to a buoy shall be calculated separately according to the three grades below:

1. Class A -- buoy distance of 181 meters and above
2. Class B -- buoy distance of 121 to 180 meters
3. Class C -- buoy distance of 120 meters and below

Article 43

Fees for anchorage in the anchorage area are calculated separately as in the three grades below:

1. Vessels of 2,000 gross tons and below
2. 2,001 to 5,000 gross tons
3. 5,001 gross tons and above

Article 44

When vessels move from one anchorage to another, the anchorage fees for wharf, buoy, and anchorage area shall be calculated separately according to time period and type of anchorage.

VI. STORAGE FEES

Article 45

Storage fees shall be charged according to the type of accommodation outlined below:

1. Storage in the front part of a warehouse
2. Storage in the back part of a warehouse
3. Storage in the front part of a lot
4. Storage in the back part of a lot
5. Storage in the front part of an open shed
6. Storage in the back part of an open shed
7. Storage in a special kind of warehouse or cattle pen

Article 46

Storage fees for export goods begin from the time each load of goods enters the warehouse; storage charges for import goods (except for those already stored) begin from the day the vessel breaks bulk.

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Article 47

Storage fees must be by periods of 10 days except for those which are charged by the day. Each harbor must carefully examine the fees to be charged for all goods to be stored; when transferral to the back part of the warehouse is necessary, the fees must be decreased proportionally.

Article 48

When necessary, the harbor administration has authority to transfer import and export goods, which are stored in the front part of a warehouse, lot, or open shed and which are not shipped on schedule, to the back part of the warehouse, lot or open shed. All the resulting expenses shall be borne by the owner of the goods.

Article 49

In general, ports shall not be required to store flammable dangerous material in warehouses, lots, and open sheds unless they have proper storage facilities. According to the rules in effect at present, ports shall not be required to accept infested goods, noxious items, perishable goods, etc., for storage.

Article 50

Extra fees for the storage of dangerous material shall be as follows:

1. Dangerous material of a violent nature, 100 percent increase over ordinary goods.
2. Dangerous material in ordinary use, 50 percent increase over ordinary goods.

Article 51

To encourage the flow of goods, each harbor must establish supplementary rules to facilitate the handling of goods.

VI. USE OF PORT FACILITIES

Article 52

The standard service charges for use of port facilities shall be as follows:

1. Use of hoists, loading equipment, etc. -- by the hour
2. Use of motor vehicles -- by ton-kilometer, kilometer, or by the hour
3. Use of motorboats -- by ton-kilometer or by ton per hour, in addition to fixed fees
4. Use of steam tugs -- by the hour based on the horsepower of the tug, or by the hour
5. Diving service, or the use of diving equipment -- by the hour
6. Supplying of fresh water -- by cubic meter; supplying of fuel by metric ton

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7. Charges for furnishing a work crew -- calculated by the hour
8. Charges on handling extra heavy goods -- calculated by ton or by unit
9. There is a charge for each telegram.
10. There is a charge for the issuance of each certificate.
11. Vessels gross tonnage shall be the standard when substitute standard for fee is necessary.
12. Time or value shall be the standard when substitute standard for handling the goods is necessary.

Article 53

Charges for steam tugs shall be calculated from the time the tug starts out until the work is over, plus the return trip.

Article 54

Charges for mobile hoists shall be calculated from the time the hoist is sent to the operating area, and for stationary hoist, from the time the hoist begins to operate. Completion of the job shall be regarded as stopping time for both. If the hoist is to be moved a charge is made for each move.

Article 55

No fee is charged for the presence of fire brigade in the loading of flammable goods or for its assistance in case of fire.

Article 56

Any previous rule that is not in agreement with these rules is cancelled.

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